

CLOSED

**U.S. District Court**  
**District of New Mexico – Version 4.2 (Santa Fe)**  
**CIVIL DOCKET FOR CASE #: 6:09-cv-00498-MCA-RHS**

WildEarth Guardians v United States Federal Emergency  
Management Agency  
Assigned to: District Judge M. Christina Armijo  
Referred to: Magistrate Judge Robert Hayes Scott  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/20/2009  
Date Terminated: 10/25/2011  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****WildEarth Guardians**

represented by **Samantha Ruscavage-Barz**  
WildEarth Guardians  
312 Montezuma Avenue  
Santa Fe, NM 87501  
505-988-9126 x1158  
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**LEAD ATTORNEY**  
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V.

**Defendant**

**United States Federal Emergency  
Management Agency**

represented by **Manuel Lucero**  
US Attorney's Office  
District of New Mexico  
PO Box 607  
Albuquerque, NM 87103  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 05/20/2009 | <u>1</u> | COMPLAINT <i>for Declaratory and Injunctive Relief</i> against United States Federal Emergency Management Agency ( Filing Fee – Deliver Payment), filed by WildEarth Guardians. (Attachments: # <u>1</u> Civil Cover Sheet)(Sugarman, Steven) (Entered: 05/20/2009) |
| 05/20/2009 |          | District Judge M. Christina Armijo and Magistrate Judge Robert Hayes Scott assigned. (nm) (Entered: 05/20/2009)   |
| 05/21/2009 | <u>2</u> | Filing fee: \$ 350.00, receipt number SF000977 (ln) (Entered: 05/21/2009)   |
| 05/22/2009 |          | Summons Issued as to United States Federal Emergency Management Agency, U.S. Attorney and U.S. Attorney General (eh) (Entered: 05/22/2009)  |
| 06/01/2009 | <u>3</u> | SUMMONS Returned Executed by WildEarth Guardians. United States Federal Emergency Management Agency served on 5/27/2009, answer due 7/27/2009.  |

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|            |           | (Ruscavage-Barz, Samantha) (Entered: 06/01/2009)   |
| 06/26/2009 | <u>4</u>  | Joint MOTION for Extension of Time to File Answer by <i>FEMA</i> by WildEarth Guardians, United States Federal Emergency Management Agency. (Lucero, Manuel) (Entered: 06/26/2009)   |
| 06/29/2009 | <u>5</u>  | ORDER by Magistrate Judge Robert Hayes Scott granting <u>4</u> Motion for Extension of Time to Answer: United States Federal Emergency Management Agency answer due 8/25/2009. (ce) (Entered: 06/29/2009)  |
| 07/31/2009 | <u>6</u>  | NOTICE of Change of Address by Samantha Ruscavage-Barz (Ruscavage-Barz, Samantha) (Entered: 07/31/2009)  |
| 09/08/2009 | <u>7</u>  | Second MOTION for Extension of Time to File Answer by United States Federal Emergency Management Agency. (Lucero, Manuel) (Entered: 09/08/2009)  |
| 09/09/2009 | <u>8</u>  | ORDER by U.S. Magistrate Judge Robert Hayes Scott GRANTING <u>7</u> Second Motion for Extension of Time to Answer United States Federal Emergency Management Agency, answer due 10/5/2009. (mr) (Entered: 09/11/2009)                              |
| 10/29/2009 | <u>9</u>  | ORDER TO SHOW CAUSE by Magistrate Judge Robert Hayes Scott. Show Cause Hearing set for 11/20/2009 at 09:00 AM in Albuquerque – 440 Hondo Courtroom before Magistrate Judge Robert Hayes Scott. (ce) (Entered: 10/29/2009)                          |
| 11/12/2009 | <u>10</u> | NOTICE by WildEarth Guardians of <i>Filing First Amended Complaint</i> (Attachments: # <u>1</u> Exhibit Amended Complaint)(Sugarman, Steven) (Entered: 11/12/2009)   |
| 11/12/2009 | <u>11</u> | AMENDED COMPLAINT against United States Federal Emergency Management Agency., filed by WildEarth Guardians.(Sugarman, Steven) (Entered: 11/12/2009)  |
| 11/12/2009 | <u>12</u> | ANSWER to <u>1</u> Complaint by United States Federal Emergency Management Agency. Related document: <u>1</u> Complaint filed by WildEarth Guardians.(Lucero, Manuel) (Entered: 11/12/2009)  |
| 11/12/2009 | <u>13</u> | MOTION to Strike <u>12</u> Answer to Complaint by WildEarth Guardians. (Sugarman, Steven) (Entered: 11/12/2009)  |
| 11/16/2009 | <u>14</u> | ORDER VACATING ORDER TO SHOW CAUSE by Magistrate Judge Robert Hayes Scott (ce) (Entered: 11/16/2009)   |
| 12/02/2009 | <u>15</u> | NOTICE of Briefing Complete by WildEarth Guardians re <u>13</u> MOTION to Strike <u>12</u> Answer to Complaint filed by WildEarth Guardians (Sugarman, Steven) (Entered: 12/02/2009)   |
| 12/15/2009 | <u>16</u> | NOTICE by WildEarth Guardians of <i>Filing of Motion to Stay Proceedings in Civil No. 01-0079-MCA/RLP</i> (Attachments: # <u>1</u> Exhibit Motion to Stay, # <u>2</u> Exhibit Exhibit 1 to Motion to Stay)(Sugarman, Steven) (Entered: 12/15/2009) |
| 12/17/2009 | <u>17</u> | FILED IN ERROR– MOTION to Withdraw Motion to <i>Strike Defendant's Answer</i> by WildEarth Guardians. (Sugarman, Steven) Modified on 12/18/2009 TO ADD ERROR TEXT (vv). (Entered: 12/17/2009)  |
| 12/17/2009 | <u>18</u> | APPENDIX/SUPPLEMENT <i>Re-file of Withdrawal of Motion to Strike Defendant's Answer Because of Technical Issues with First Attempted Filing</i> by WildEarth Guardians (Sugarman, Steven) (Entered: 12/17/2009)                                    |
| 12/17/2009 | <u>19</u> | Joint MOTION for Extension of Time to File <i>an Answer to the Amended Complaint</i> by United States Federal Emergency Management Agency. (Lucero, Manuel) (Entered: 12/17/2009)  |
| 12/18/2009 | <u>20</u> | ANSWER to <u>11</u> Amended Complaint by United States Federal Emergency Management Agency. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Lucero, Manuel) (Entered: 12/18/2009)  |
| 12/29/2009 | 21        | ORDER by Magistrate Judge Robert Hayes Scott granting <u>19</u> Stipulated Motion for Extension of Time to File Answer to Amended Complaint. THIS IS A TEXT ONLY ENTRY. NO DOCUMENTS ARE ATTACHED. (ce) (Entered: 12/29/2009)                      |

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| 12/30/2009 | <u>22</u> | NOTICE OF STATUS CONFERENCE by Magistrate Judge Robert Hayes Scott. Status Conference set for 1/12/2010 at 01:30 PM in Albuquerque – 620 Judge Robert H. Scott Chambers before Magistrate Judge Robert Hayes Scott. (ce) (Entered: 12/30/2009) |
| 01/12/2010 | 23        | Clerk's Minutes for proceedings held before Magistrate Judge Robert Hayes Scott: Status Conference held on 1/12/2010. THIS IS A TEXT ONLY ENTRY. NO DOCUMENTS ARE ATTACHED. (ce) (Entered: 01/12/2010)   |
| 01/21/2010 | <u>24</u> | ORDER by Magistrate Judge Robert Hayes Scott. (ah) (Entered: 01/21/2010)   |
| 11/10/2010 | <u>25</u> | STIPULATED ORDER GOVERNING FURTHER PROCEEDINGS by District Judge M. Christina Armijo (eh) (Entered: 11/12/2010)  |
| 07/27/2011 | <u>26</u> | ORDER by District Judge M. Christina Armijo (cbe) (Entered: 07/27/2011)  |
| 08/03/2011 | <u>27</u> | Joint Status Report by WildEarth Guardians (Sugarman, Steven) (Entered: 08/03/2011)  |
| 08/24/2011 | <u>28</u> | Joint Status Report ( <i>Second</i> ) by WildEarth Guardians (Sugarman, Steven) (Entered: 08/24/2011)  |
| 09/28/2011 | <u>29</u> | Joint Status Report ( <i>Third</i> ) by WildEarth Guardians (Sugarman, Steven) (Entered: 09/28/2011)   |
| 10/21/2011 | <u>30</u> | STIPULATION of Dismissal <i>and [Proposed] Order Adopting Stipulation</i> by WildEarth Guardians (Sugarman, Steven) (Entered: 10/21/2011)  |
| 10/25/2011 | <u>31</u> | Stipulation of dismissal and ORDER adopting stipulation; DISMISSING CASE by District Judge M. Christina Armijo (vv) (Entered: 10/25/2011)  |